

MEMORANDUM

RE: Ex Parte Communications in Connection with Docket No. EERE-2014-BT-CE-0019
Certification, Compliance, Labeling, and Enforcement for Electric Motors and Small
Electric Motors

To: expartecommunications@hq.doe.gov

From: Alex Boesenberg, Senior Manager of Regulatory Affairs
National Electrical Manufacturers Association

Date: August 18, 2017

This memorandum memorializes a communication between DOE staff and members of the NEMA Motor and Generator Section in connection with this proceeding. NEMA thanks the DOE for the opportunity to have this meeting on August 9, 2017 to discuss the continued concerns of NEMA Member companies regarding the pre-publication rule for subject requirements. The meeting assisted NEMA Members and staff in better understanding DOE staff's intent and meaning of several provisions in the pre-publication rule and identify areas where further work might be done prior to final publication.

Attendees of the August 9th meeting were as follows: Ashley Armstrong (DOE), Lucy Lee (DOE), Laura Degitz (CADEO), Laura Barhydt (DOE), Kyle Pitsor (NEMA), Alex Boesenberg (NEMA), Bill Hoyt (NEMA), Craig Updyke (NEMA), Dan Delaney (Regal Beloit), Rob Boteler (Nidec), Don Lanser (Nidec), Dale Basso (WEG), Paul Anderson (Toshiba), Bill Finley (Siemens), Chandra Gollapudi (Regal Beloit), Rick Budzynski (Baldor/ABB), Tim Schumann (SEW-Eurodrive), Ricardo Vazquez (NEMA), Peter Weinmann (Siemens/CEMEP), Peter Zwanziger (Siemens/CEMEP), Kevin O'Donnell (Bluffton Motor Works), Mike Liebowitz (NEMA), Steve Long (GE), Tyler Gaerke (Siemens), M.P. Reddy (Teco-Westinghouse), John Malinowski (ABB), Gamalid Gonzalez (ABB).

The meeting began at 2pm Eastern time.

Following opening remarks and introductions the discussion covered the topics summarized below.

1. Regarding the pre-publication language and instances in which 3rd party certification are required, particularly for Alternative Efficiency Determination Models (AEDMs), the DOE clarified their interpretation of the Statute. Members discussed their relationships with outside test labs, some of which are accredited by the DOE. It was noted that the program in place for certifying and selling electric motors to the Canadian market may satisfy the 3rd party requirements in the U.S. as well, depending on the arrangements between the 3rd party labs and each manufacturer.
2. Regarding the use of NVLAP or other accredited and mutual recognition companies, NEMA Members asked if DOE staff might recognize labs certified to ISO 17025. DOE staff replied that they intend to address this question in the RFI for Small Electric Motor Test Procedures. NEMA Members took the opportunity during the discussion of this topic to inquire as to DOE's position on a NEMA petition from earlier in the year asking DOE to recognize motors tested and certified to certain IEC test procedures. DOE staff indicated a response is being developed.
3. On the subject of determining/assigning basic models, DOE staff clarified that it is a manufacturer's discretion as to what to assign as a basic model for a given products class, with the associated risks regarding de-certification on findings of non-compliance. DOE staff noted that they do intend to encourage greater numbers of basic models be

certified and reported by manufacturers, so as to assist in border enforcement actions. During this discussion, DOE staff clarified for NEMA Members that in filling out certification spreadsheets it is permissible to put more than one basic model/SKU in any given box in the template, i.e. multiple basic models for a given class of products.

4. Manufacturers noted their concerns to reporting brands individually, which at times could expose private business relationships. DOE staff indicated understanding of this concern.
5. The group discussed the current practice of the Certification Compliance number (CC number) versus the proposed Manufacturer ID Number, or MIN. DOE explained their reasons for wanting to establish a MIN, and manufacturers indicated that while they understood DOE reasons that further investigation was needed on timing and associated costs to move from CC to MIN.
6. Following up on the preceding item, NEMA members noted that any requirements that would require changes to nameplates must be given adequate time to implement, preferably timed to coincide with normal product refresh cycles. NEMA Members will discuss this topic further and make recommendations.
7. NEMA Members asked DOE staff to clarify the current and the proposed requirements regarding efficiency testing to all voltages that might appear on a motor nameplate. DOE staff provided an explanation. Public clarification and improvement on this topic might be the subject of a follow-on rulemaking or as an FAQ. NEMA will determine the industry's position and if able seek input from other stakeholders, before replying to DOE with further recommendations.
8. On request, DOE staff confirmed the industry understanding that the selection of the voltage for testing single phase capacitor start motors is left to manufacturer's discretion.
9. NEMA Members noted a desire to do away with annual reporting requirements and replaced with reporting when the product is introduced in the market, when any change occurs to the products, and when the product is discontinued for sale. It was observed that this topic is shared by multiple associations and was included in responses to the Department on its Request for Information on Regulatory Reform. DOE staff indicated that this topic would not be taken up as part of this CCE motor rulemaking, but under the broader RFI process.
10. With respect to existing standards requirements, DOE staff confirmed for IEC motors whose HP equivalent falls between two classifications in Table 5 for Design A products should be tested and certified to the requirements for the next higher HP (i.e. rounded up).
11. DOE staff asked NEMA to include in their follow-on comments specifics on the timing of requirements, i.e. what can happen sooner, and what might need longer implementation timelines (see item 6) as well as what topics might be concluded in this iteration of the rulemaking and what topics might need to be tabled for more detailed follow on discussion (i.e. second rulemaking).

The meeting concluded at 4:30PM Eastern time.

NEMA again thanks the DOE for this opportunity to discuss and hopefully improve the pre-publication UPS standards prior to final publication.

If you have any questions on these comments, please contact me at 703-841-3268 or alex.boesenberg@nema.org.

Sincerely,



Alex Boesenberg
Senior Manager, Regulatory Affairs
National Electrical Manufacturers Association